GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:4320
ANSWERED ON:08.08.2014
SALE OF MEDICINES AND MEDICAL DEVICES
Azad Shri Kirti (JHA);Mullappally Shri Ramachandran;Shetti Shri Raju alias Devappa Anna

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Government has taken note of a number of complaints regarding chemists insisting consumers to buy an entire strip of tablets and refusing to cut the strip or sell less, if so, the details thereof and the corrective measures being taken by the Government to monitor such incidents and examine the complaints;

(b) whether the Government has introduced/proposes to introduce metricsystem of packaging in medicines by making it compulsory to pack medicines in units of 1, 2, 5, 10, 20, 50, 100, 200 or 500 gms/mg/ml/kgs/litres/unit, if so, the details thereof and if not, the reasons therefor;

(c) the steps taken/proposed to be taken by the Government to check the practice of medical practitioners of recommending expensive branded medicines and encourage them to prescribe cheaper and affordable medicines;

(d) whether the Government has received any proposal/recommendation to bring the National Pharmaceutical Pricing Authority under the jurisdiction of his Ministry, if so, the details thereof and the response thereto; and

(e) the measures being taken by the Government to regulate the marketing of medical devices/equipment being sold at exorbitant prices in the country?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. HARSH VARDHAN)

(a): The Drugs & Cosmetics Rules, 1945 do not have any provision that requires chemists to sell medicines in entire strips only.

(b): The Drugs and Cosmetics Rules, 1945 already contain provisions in respect of pack sizes of drugs meant for retail sale. At present, there is no proposal to further amend the aforesaid provisions.

(c): (i) The Government has from time to time been issuing circulars/instructions to all Central Government hospitals, CGHS wellness centres and the State Governments, etc for encouraging / motivating doctors to prescribe generic medicines. Instructions have also been issued that all Central Government hospitals must provide only good quality generic medicines, and that whenever any branded medicine is prescribed, it shall invariably also be mentioned that any other equivalent generic medicines could also be provided.

(ii) The Code of Medical Ethics under Indian Medical Council Regulations, 2002 also provides under article `1.5 Use of Generic names of drugs` that every physician should, as far as possible, prescribe drugs with generic names and he / she shall ensure that there is a rational prescription and use of drugs. Further, article `6.3 Running an open shop (Dispensing of Drugs and Appliances by Physicians)` says that drugs prescribed by a physician or brought from the market for a patient should explicitly state the proprietary formulae as well as generic name of the drug.

(iii) Apart from this, to check the practice of the State / UT drug licensing authorities issuing licenses for manufacture of drugs in brand names, the Central Government issued direction to all the State / UT Governments on 1.10.2012 under Section 33P of the Drugs & Cosmetics Act, 1940 to grant / renew licenses to manufacture for sale or for distribution of drugs in proper / generic names only.

(d): At present, no such proposal is under consideration of the Government.

(e): Presently 14 categories of Medical Devices are regulated under Drugs and Cosmetics Act, 1940 and Rules made thereunder. Inter-uterine device and condom are covered by Drugs Price Control Order, 2013 and are subject to price control.